



Senate

General Assembly

File No. 282

February Session, 2002

Substitute Senate Bill No. 584

Senate, April 3, 2002

The Committee on Public Health reported through SEN. HARP of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING SCHOOL NUTRITION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective October 1, 2002*) (a) There is established a
2 task force for the purpose of adopting a nutrition policy for the state
3 and for assisting in the reduction and prevention of obesity and non-
4 insulin-using diabetes in children. The task force shall consist of the
5 following members: (1) The Commissioner of Public Health or the
6 commissioner's designee; (2) the Commissioner of Education or the
7 commissioner's designee; (3) a representative of the State Department
8 of Education who is proficient in the United States Department of
9 Agriculture guidelines for school nutrition programs; (4) a
10 representative of a parent-teacher association or a parent-teacher
11 organization; (5) a representative of the Connecticut Dietetic
12 Association; (6) a representative of the School Nutrition Directors; (7) a
13 physical education teacher; (8) a representative of the farming
14 community; and (9) a representative of the Academy of Pediatrics.

- 15 (b) The nutrition policy shall:
- 16 (1) Encourage fundraisers that promote good health habits;
- 17 (2) Ensure that no student goes hungry;
- 18 (3) Improve nutritional standards;
- 19 (4) Increase the availability of fresh fruits and vegetables;
- 20 (5) Ensure that food is served fresh;
- 21 (6) Encourage eligible students and school districts to participate in
- 22 the school lunch program, the school breakfast program and the after-
- 23 school snack program;
- 24 (7) Ensure that nutrition and physical activity are integrated into
- 25 school curricula;
- 26 (8) Ensure regular professional development for food service staff;
- 27 (9) Ensure students a minimum of thirty minutes to eat lunch and
- 28 when provided, twenty minutes to eat breakfast;
- 29 (10) Ensure students engage in healthful levels of vigorous physical
- 30 activity;
- 31 (11) Develop a state-wide nutrition curriculum for grades
- 32 kindergarten to twelve, inclusive, with emphasis on healthy food
- 33 choices, health related issues with food choices, physical education and
- 34 local food production;
- 35 (12) Improve the quality of physical education curricula and
- 36 increase training of physical education teachers;
- 37 (13) Strengthen and enforce existing physical education
- 38 requirements;
- 39 (14) Increase the availability of fresh fruits and vegetables and
- 40 school gardens; and

41 (15) Collaborate with farmers' markets.

42 Sec. 2. (*Effective from passage*) (a) The Department of Education, in
43 consultation with the Department of Public Health, shall establish a
44 school nutrition pilot program in (1) an urban, (2) a suburban, and (3) a
45 rural school district. At least one school district in the pilot program
46 shall have a self-operating school food service program.

47 (b) Said pilot program shall be in effect for the 2002-2003 school year
48 and comply with the following requirements:

49 (1) No beverage other than any of the following shall be sold to
50 students from one-half hour before the start of the school day until
51 one-half hour after the end of the school day:

52 (A) One hundred per cent fruit juices;

53 (B) Drinking water; or

54 (C) Milk, including, but not limited to, chocolate milk, soy milk, rice
55 milk and other similar dairy or nondairy milk, recognizing that dairy
56 milk is acceptable.

57 (2) No carbonated beverage shall be sold to students from one-half
58 hour before the start of the school day until one-half hour after the end
59 of the school day.

60 (3) No beverage that exceeds twelve ounces per serving shall be sold
61 to students from one-half hour before the start of the school day until
62 one-half hour after the end of the school day.

63 (4) Fruit and nonfried vegetables shall be offered for sale, at a lower
64 price, at any location where food is sold.

65 (c) The Commissioner of Education, in consultation with the
66 Commissioner of Public Health, shall report, in accordance with
67 section 11-4a of the general statutes, a summary of findings of said
68 pilot program to the joint standing committees of the General
69 Assembly having cognizance of matters relating to education and

70 public health by October 1, 2003.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>
Sec. 2	<i>from passage</i>

PH *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Fund-Type	Agency Affected
GF - Minimal Cost, Potential Cost	Department of Education
None	Department of Public Health

Note: GF=General Fund

Municipal Impact:

Effect	Municipalities
Potential Revenue Gain, Potential Revenue Loss	Local and Regional School Districts

Explanation

This bill establishes a task force to adopt nutrition policy for the state with regard to children. The establishment of such a task force would result in a minimal cost to the Department of Education due to reports and other paperwork that would be generated by the task force. There are no available funds to establish the task force within the Department of Education therefore in order to carry out the functions of the task force other non-mandated tasks within the Department of Education would have to be abandoned or delayed. Presently most tasks within the Department of Education are of a mandatory nature.

Additionally the bill establishes a school nutrition pilot program for which no funds are contained in the FY 03 budget as passed by the Appropriations Committee. Since no funds are available no grant payments could be paid to any potential participating districts. If a district did participate there is the potential they could lose revenue as the restrictions on the food and beverages provided could eliminate certain items that are currently sold at a profit from being served.

OLR Bill Analysis

sSB 584

AN ACT CONCERNING SCHOOL NUTRITION**SUMMARY:**

This bill creates a permanent, nine-member task force to adopt a nutrition policy for the state and to help reduce and prevent childhood obesity and non-insulin using (type II) diabetes. It also requires the Education Department, in consultation with the Public Health Department, to establish three school nutrition pilot programs in the 2002-03 school year in which sales of fruit and vegetables are encouraged and carbonated beverage sales are limited.

EFFECTIVE DATE: October 1, 2002 for the nutrition policy task force; upon passage for the school pilot programs.

NUTRITION POLICY TASK FORCE***Nutrition Policy Contents***

Under the bill, the nutrition policy must:

1. ensure that no child goes hungry;
2. improve nutrition standards;
3. increase the availability of fresh fruits, vegetables, and school gardens and ensure that fresh food is served;
4. encourage eligible students and school districts to participate in the school breakfast, lunch, and after-school snack programs;
5. ensure students at least 30 minutes for lunch and 20 minutes for breakfast, if it is provided;
6. develop a statewide, K-12 nutrition curriculum that emphasizes health food choices, health issues related to food choices, physical education, and local food production;
7. ensure that nutrition and physical activity are integrated into the curriculum and encourage students to engage in healthful levels of vigorous physical activity;
8. improve the quality of physical education criteria, strengthen and enforce existing physical education requirements, and increase

- training of physical education teachers;
- 9. ensure regular professional development for food service staff;
- 10. collaborate with farmers' markets; and
- 11. encourage fundraisers that promote good health habits.

Task Force Composition

The task force consists of (1) the education and public health commissioners or their designees; (2) a representative of the State Department of Education who is knowledgeable about U.S. Agricultural Department school nutrition program guidelines; (3) a physical education teacher; and (4) one representative each from a parent-teacher association or organization, the Connecticut Dietetic Association, school nutrition directors, the farming community, and the Academy of Pediatrics.

SCHOOL NUTRITION PILOT PROGRAM

The bill requires the education commissioner to establish a pilot program during the 2002-03 school year in an urban, suburban, and rural school district. He must consult with the public health commissioner in doing this. At least one of the districts must have a self-operating food service program.

Pilot program sites must sell fruit and nonfried vegetables at a lower price wherever food is sold. (It is not clear what the price is being compared to). And they must prohibit, from one-half hour before school begins to one-half hour after it ends, the sale to students:

1. of any beverage other than water, milk (including chocolate, soy and rice milk, or similar dairy or nondairy product), or 100% fruit juice;
2. any carbonate beverage; and
3. any beverage serving over 12 ounces (apparently including milk and 100% fruit juice).

The commissioners must report a summary of the pilot program's findings to the Education and Public Health committees by October 1, 2003.

BACKGROUND

State Food Service Regulations

State regulations, which are more restrictive than federal ones, prohibit the sale of soft drinks, coffee, tea, and candy anywhere in the school for 30 minutes before and after any state or federally subsidized meal is served (Conn. Agency Regs., 10-215b-1).

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 14 Nay 10